

110TH CONGRESS
1ST SESSION

H. R. 3893

To promote the deployment and adoption of telecommunications services and information technologies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 18, 2007

Mr. ALLEN (for himself and Mr. MICHAUD) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To promote the deployment and adoption of telecommunications services and information technologies, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Connect America Now
5 Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The deployment and adoption of broadband
9 services and information technology has resulted in
10 enhanced economic development and public safety

1 for communities across the Nation, improved health
2 care and educational opportunities, and a better
3 quality of life for all Americans.

4 (2) Continued progress in the deployment and
5 adoption of broadband services is vital to ensuring
6 that our Nation remains competitive and continues
7 to create business and job growth.

8 (3) The Federal Government should also recog-
9 nize and encourage complementary State efforts to
10 improve the quality and usefulness of data about
11 broadband service and its deployment and should en-
12 courage and support the partnership of the public
13 and private sectors in the continued growth of
14 broadband services and information technology for
15 the residents and businesses of the Nation.

16 **SEC. 3. ENCOURAGING STATE INITIATIVES TO IMPROVE**
17 **BROADBAND.**

18 (a) PURPOSES.—The purposes of any grant under
19 subsection (b) are—

20 (1) to ensure that all citizens and businesses in
21 a State have access to affordable, reliable broadband
22 service;

23 (2) to achieve improved technology literacy, in-
24 creased computer ownership, and home broadband
25 use among such citizens and businesses;

1 (3) to establish and empower local grassroots
2 technology teams in each State to plan for improved
3 technology use across multiple community sectors;
4 and

5 (4) to establish and sustain an environment
6 ripe for broadband services and information tech-
7 nology investment.

8 (b) ESTABLISHMENT OF STATE BROADBAND DATA
9 AND DEVELOPMENT GRANT PROGRAM.—

10 (1) IN GENERAL.—The Secretary of Commerce
11 shall award grants, taking into account the results
12 of the peer review process under subsection (d), to
13 entities for the development, implementation and
14 support of statewide initiatives to identify and track
15 the availability and adoption of broadband services
16 within each State.

17 (2) COMPETITIVE BASIS.—Any grant under this
18 subsection shall be awarded on a competitive basis.

19 (c) ELIGIBILITY.—To be eligible to receive a grant
20 under subsection (b), an eligible entity shall—

21 (1) submit an application to the Secretary of
22 Commerce, at such time, in such manner, and con-
23 taining such information as the Secretary may re-
24 quire; and

1 (2) contribute matching non-Federal funds in
2 an amount equal to not less than 20 percent of the
3 total amount of the grant.

4 (d) PEER REVIEW.—

5 (1) IN GENERAL.—The Secretary shall by regu-
6 lation require appropriate technical and scientific
7 peer review of applications made for grants under
8 this section.

9 (2) REVIEW PROCEDURES.—The regulations re-
10 quired under paragraph (1) shall require that any
11 technical and scientific peer review group—

12 (A) be provided a written description of
13 the grant to be reviewed;

14 (B) provide the results of any review by
15 such group to the Secretary of Commerce; and

16 (C) certify that such group will enter into
17 voluntary nondisclosure agreements as nec-
18 essary to prevent the unauthorized disclosure of
19 confidential and propriety information provided
20 by broadband service providers in connection
21 with projects funded by any such grant.

22 (e) USE OF FUNDS.—A grant awarded to an eligible
23 entity under subsection (b) shall be used to the maximum
24 extent possible—

1 (1) to provide a baseline assessment of
2 broadband service deployment in each State;

3 (2) to identify and track—

4 (A) areas in each State that have low lev-
5 els of broadband service deployment;

6 (B) the rate at which residential and busi-
7 ness adopt broadband service and other related
8 information technology services; and

9 (C) possible suppliers of such services;

10 (3) to identify barriers to the adoption by indi-
11 viduals and businesses of broadband service and re-
12 lated information technology services, including
13 whether or not—

14 (A) the demand for such services is absent;
15 and

16 (B) the supply for such services is capable
17 of meeting the demand for such services;

18 (4) to create and facilitate, in each county or
19 designated region in a State, a local technology plan-
20 ning team—

21 (A) with members representing a cross sec-
22 tion of the community, including representatives
23 of business, telecommunications labor organiza-
24 tions, elementary and secondary education,
25 health care, libraries, higher education, commu-

nity-based organizations, local government,
tourism, parks and recreation, and agriculture;
and

(B) which shall—

(i) measure, against relevant benchmarks, technology use across relevant community sectors;

(ii) set goals for improved technology use within each sector; and

(iii) develop a tactical business plan for achieving its goals, with specific recommendations for online application development and demand creation;

(5) to work collaboratively with broadband service providers and information technology companies to encourage deployment and use, especially in unserved and underserved areas, through the use of local demand aggregation, mapping analysis, and the creation of market intelligence to improve the business case for providers to deploy;

(6) to establish programs to improve computer ownership and Internet access for unserved and underserved populations;

1 (7) to collect and analyze detailed market data
2 concerning the use and demand for broadband serv-
3 ice and related information technology services;

4 (8) to facilitate information exchange regarding
5 the use and demand for broadband services between
6 public and private sectors; and

7 (9) to create within each State a geographic in-
8 ventory map of broadband service, which shall—

9 (A) identify gaps in such service through a
10 method of geographic information system map-
11 ping of service availability at the census block
12 level; and

13 (B) provide a baseline assessment of state-
14 wide broadband deployment in terms of house-
15 holds with high-speed availability.

16 (f) PARTICIPATION LIMIT.—For each State, an eligi-
17 ble entity may not receive a new grant under this section
18 to fund the activities described in subsection (d) within
19 such State if such organization obtained prior grant
20 awards under this section to fund the same activities in
21 that State in each of the previous 4 consecutive years.

22 (g) REPORT.—Each recipient of a grant under sub-
23 section (b) shall submit a report on the use of the funds
24 provided by the grant to the Secretary of Commerce.

25 (h) DEFINITIONS.—In this section:

1 (1) ELIGIBLE ENTITY.—The term “eligible enti-
2 ty” means a nonprofit organization or public sector
3 entity that is selected by a State to work in partner-
4 ship with State agencies and private sector partners
5 in identifying and tracking the availability and adop-
6 tion of broadband services within each State.

7 (2) NONPROFIT ORGANIZATION.—The term
8 “nonprofit organization” means an organization—

9 (A) described in section 501(c)(3) of the
10 Internal Revenue Code of 1986 and exempt
11 from tax under section 501(a) of such Code;

12 (B) no part of the net earnings of which
13 inures to the benefit of any member, founder,
14 contributor, or individual;

15 (C) that has an established competency
16 and proven record of working with public and
17 private sectors to accomplish widescale deploy-
18 ment and adoption of broadband services and
19 information technology; and

20 (D) the board of directors of which is not
21 composed of a majority of individuals who are
22 also employed by, or otherwise associated with,
23 any Federal, State, or local government or any
24 Federal, State, or local agency.

1 (3) BROADBAND SERVICE.—The term
2 “broadband service” means any service that con-
3 nects to the public Internet and that provides a data
4 transmission-rate equivalent to at least 200 kilobits
5 per second, or any successor transmission-rate estab-
6 lished by the Federal Communications Commission,
7 in at least 1 direction.

8 (i) AUTHORIZATION OF APPROPRIATIONS.—There
9 are authorized to be appropriated to carry out this section
10 \$40,000,000 for each of fiscal years 2008 through 2012.

11 (j) NO REGULATORY AUTHORITY.—Nothing in this
12 Act shall be construed as giving any public or private enti-
13 ty established or affected by this Act any additional regu-
14 latory jurisdiction or oversight authority over providers of
15 broadband services or information technology.

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